

**No. 106**  
**MICHIGAN SENATE**  
**DAILY CALENDAR**

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SATURDAY, DECEMBER 19, 2009  
12:10 a.m.

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**MOTIONS**

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1

(Consideration postponed until Thursday, December 31.)

**HB 4316** Rep. Lisa Brown

Torts; product liability; limitation on liability for drugs that have been approved by federal food and drug administration; rescind.

Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).

**I.E. House, March 26, 2009.**

**Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.**

2

(Consideration postponed until Thursday, December 31.)

**HB 4317** Rep. Kennedy

Civil procedure; statute of limitations; drug product liability cases previously prohibited because of FDA approval defense; allow to be commenced within 3 years after repeal of the defense.

Amends sec. 5805 of 1961 PA 236 (MCL 600.5805).

**I.E. House, March 26, 2009.**

**Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.**

3

(Consideration postponed until Thursday, December 31.)

**HB 4318** Rep. Slavens

Consumer protection; unfair trade practices; liability for inaccurate representations concerning risks of certain drugs, medications, and supplements; clarify.

Amends secs. 2 & 3 of 1976 PA 331 (MCL 445.902 & 445.903).

**I.E. House, March 26, 2009.**

**Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.**

4

(Consideration postponed until Thursday, December 31.)

**SR 15** Sen. Whitmer

A resolution to amend the Standing Rules of the Senate.

**Motion to reconsider motion to discharge Committee on Government Operations and Reform, Thursday, May 7.**

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**MESSAGES FROM THE GOVERNOR**

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5

**SB 254** Sen. Hardiman

Appropriations; zero budget; department of transportation; provide for fiscal year 2009-2010.

Creates appropriation act.

**Approved by Governor, with line items vetoed, Monday, October 12.**

**For veto message, see Senate Journal No. 84, page 1988.**

**Vetoed line items pending.**

6

**SB 237** Sen. Brown

Appropriations; zero budget; department of agriculture; provide for fiscal year 2009-2010.

Creates appropriation act.

**Approved by Governor, with line items vetoed, Monday, October 14.**

**For veto message, see Senate Journal No. 86, page 2010.**

**Vetoed line items pending.**

7

**SB 243** Sen. Jansen

Appropriations; zero budget; department of energy, labor, and economic growth; provide for fiscal year 2009-2010.

Creates appropriation act.

**Approved by Governor, with line items vetoed, Thursday, October 29.**

**For veto message, see Senate Journal No. 93, page 2136.**

**Vetoed line items pending.**

8

**SB 245** Sen. Pappageorge

Appropriations; zero budget; general government; provide for fiscal year 2009-2010.

Creates appropriation act.

**Approved by Governor, with line items vetoed, Thursday, October 29.**

**For veto message, see Senate Journal No. 93, page 2137.**

**Vetoed line items pending.**

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**MESSAGES FROM THE GOVERNOR**


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9

**SB 248** Sen. Hardiman

Appropriations; zero budget; department of human services; provide for fiscal year 2009-2010.  
Creates appropriation act.

**Approved by Governor, with line items vetoed, Thursday, October 29.**

**For veto message, see Senate Journal No. 93, page 2138.**

**Vetoed line items pending.**

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**THIRD READING OF BILLS**


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10

**HB 5458** Rep. Switalski

Courts; judges; number of judgeships in certain circuits; reduce temporarily.

Amends secs. 507, 511, 517, 519, 521, 531, 532, 549 & 550 of 1961 PA 236 (MCL 600.507 et seq.) & adds sec. 550b.

**I.E. House, November 12, 2009.**

**House substitute (H-4).**

**Committee on Judiciary discharged, Thursday, December 17.**

**Senate substitute (S-3).**

**Passed, Thursday, December 17; motion for immediate effect postponed.**

11

**SB 911** Sen. McManus

State agencies (existing); natural resources; powers and duties of the department of environmental quality under beverage container law; transfer to the department of natural resources.

Amends sec. 3f of 1976 IL 1 (MCL 445.573f).

**Reported by Committee on Appropriations.**

**Defeated, Wednesday, December 2; motion to reconsider vote pending.**

**Committee recommended I.E.**

12

**SB 958** Sen. Barcia

Gaming; horse racing; racing commissioner; remove from coverage under the lobbyist act.

Amends sec. 5 of 1978 PA 472 (MCL 4.415).

**Reported by Committee on Agriculture and Bioeconomy.**

**Committee recommended I.E.**

13

**SB 216** Sen. Allen

Liquor; licenses; continuing care retirement center liquor license; create.

Amends secs. 525 & 537 of 1998 PA 58 (MCL 436.1525 & 436.1537) & adds sec. 545.

**Reported by Committee on Economic Development and Regulatory Reform.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

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**THIRD READING OF BILLS**


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14

**SB 47** Sen. Kahn

Health; pharmaceuticals; prescription drug website; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9721.

**Reported by Committee on Health Policy.**

**Committee recommended I.E.**

15

**SB 939** Sen. McManus

Land use; other; limitation on acreage held for sporting purposes; repeal.

Repeals pt. 433 of 1994 PA 451 (MCL 324.43301 - 324.43303).

**Reported by Committee on Natural Resources and Environmental Affairs.**

**Committee recommended I.E.**

16

**SB 402** Sen. Thomas

Traffic control; violations; operation of a vehicle while using certain electronic devices; prohibit.

Amends sec. 320a of 1949 PA 300 (MCL 257.320a).

**Reported by Committee on Transportation.**

**Senate substitute (S-3).**

**Committee recommended I.E.**

17

**SB 468** Sen. Kahn

Traffic control; violations; use of handheld wireless telephone while operating a motor vehicle; prohibit under certain circumstances and permit use of hands-free wireless telephone.

Amends sec. 320a of 1949 PA 300 (MCL 257.320a) by adding sec. 602b.

**Reported by Committee on Transportation.**

**Senate substitute (S-4).**

**Committee recommended I.E.**

18

**SB 887** Sen. Jansen

Property tax; exemptions; exemption for elderly or disabled families; revise.

Amends sec. 7d of 1893 PA 206 (MCL 211.7d).

**Reported by Committee on Finance.**

**For Senate amendments, see Senate Journal No. 104, page 2448.**

**Committee recommended I.E.**

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**GENERAL ORDERS**


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19

**SB 165** Sen. Barcia

Traffic control; accidents; procedure relating to obtaining crash reports; modify.

Amends secs. 621 & 622 of 1949 PA 300 (MCL 257.621 & 257.622).

**Reported by Committee on Transportation.**

**Committee recommended I.E.**

## GENERAL ORDERS

20

**SB 478** Sen. Sanborn

Corrections; other; report to legislature of status of offender tracking system; require.

Amends 1953 PA 232 (MCL 791.201 - 791.285) by adding sec. 7b.

**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

21

**SB 592** Sen. Kuipers

Education; financing; certain energy contracts; allow.

Amends sec. 1274a of 1976 PA 451 (MCL 380.1274a).

**Reported by Committee on Education.**  
**Committee recommended I.E.**

22

**SB 325** Sen. Basham

Crimes; other; installation or use of motor vehicle tracking device; prohibit under certain circumstances and provide penalty.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 539l.

**Reported by Committee on Judiciary.**  
**Committee recommended I.E.**

23

**HB 4932** Rep. Rocca

Gaming; other; allowable value for coupons awarded in redemption games; increase.

Amends sec. 310b of 1931 PA 328 (MCL 750.310b).

**I.E. House, June 2, 2009.**

**House substitute (H-2).**

**Reported by Committee on Economic Development and Regulatory Reform.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

24

**SB 670** Sen. Richardville

Transportation; funds; Michigan transportation fund; reclassify as a trust fund and restrict disposition of interest and earnings.

Amends sec. 10 of 1951 PA 51 (MCL 247.660).

**Reported by Committee on Transportation.**  
**Committee recommended I.E.**

25

**HB 5086** Rep. Simpson

Economic development; renaissance zones; number of additional renaissance zones for agricultural processing facilities; increase.

Amends sec. 8c of 1996 PA 376 (MCL 125.2688c).

**I.E. House, June 25, 2009.**

**Reported by Committee on Agriculture and Bioeconomy.**

**Committee recommended I.E.**

## GENERAL ORDERS

26

**SB 636** Sen. Kuipers

Education; other; neighborhood public schools; create in school code.

Amends secs. 5, 1204a, 1230, 1230a, 1230b, 1230c, 1230d, 1230e, 1233, 1233b, 1246, 1277, 1278, 1280 & 1311 of 1976 PA 451 (MCL 380.5 et seq.) & adds pt. 6D & sec. 1701b.

**Reported by Committee on Education.**  
**Committee recommended I.E.**

27

**SB 637** Sen. Cassis

Education; other; school aid act changes to provide funding for neighborhood public schools; provide for.

Amends secs. 3, 6, 8b, 18, 18b, 18c, 20, 31a, 51a, 101, 169 & 169b of 1979 PA 94 (MCL 388.1603 et seq.) & adds sec. 9.

**Reported by Committee on Education.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

28

**SB 639** Sen. Hardiman

Labor; public service employment; neighborhood public schools; provide for in public employment relations act.

Amends secs. 1 & 15 of 1947 PA 336 (MCL 423.201 & 423.215).

**Reported by Committee on Education.**  
**Committee recommended I.E.**

29

**HB 5221** Rep. Bennett

Environmental protection; pollution prevention; laboratory recognition program; eliminate.

Repeals pt. 205 of 1994 PA 451 (MCL 324.20501 - 324.20519).

**I.E. House, September 15, 2009.**

**Reported by Committee on Natural Resources and Environmental Affairs.**

**Committee recommended I.E.**

30

**HB 4565** Rep. Meadows

Liquor; retail sales; tagging of certain beer kegs; require.

Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 1029.

**I.E. House, April 23, 2009.**

**House substitute (H-2).**

**Reported by Committee on Economic Development and Regulatory Reform.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

31

**SB 951** Sen. McManus

Elections; petitions; review of ballot question petition by board of state canvassers before circulation; require.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 483a.

**Reported by Committee on Campaign and Election Oversight.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

## GENERAL ORDERS

32

**SB 952** Sen. Brown  
Elections; petitions; form of a ballot question petition; revise.  
Amends sec. 482 of 1954 PA 116 (MCL 168.482).  
**Reported by Committee on Campaign and Election Oversight.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

33

**SB 953** Sen. Jansen  
Elections; petitions; posting of petition summary on secretary of state website; require.  
Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 483b.  
**Reported by Committee on Campaign and Election Oversight.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

34

**SB 954** Sen. McManus  
Elections; petitions; technical amendments to Michigan election law concerning ballot question petitions; provide for.  
Amends sec. 488 of 1954 PA 116 (MCL 168.488).  
**Reported by Committee on Campaign and Election Oversight.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

35

**SB 792** Sen. Kahn  
Weapons; other; right to transportation and storage of firearms under certain circumstances; allow.  
Amends title of 1927 PA 372 (MCL 28.421 - 28.435) & adds secs. 1b & 36.  
**Reported by Committee on Hunting, Fishing and Outdoor Recreation.**  
**Senate substitute (S-1).**

36

**SB 793** Sen. Barcia  
Weapons; other; transportation of firearms for lawful purpose; expand.  
Amends sec. 231a of 1931 PA 328 (MCL 750.231a).  
**Reported by Committee on Hunting, Fishing and Outdoor Recreation.**

37

**SB 997** Sen. Van Woerkom  
Agriculture; associations and commissions; powers and duties of the commission of agriculture; restore.  
Amends sec. 1 of 1921 PA 13 (MCL 285.1).  
**Reported by Committee on Agriculture and Bioeconomy.**  
**Committee recommended I.E.**

## GENERAL ORDERS

38

**SB 998** Sen. Gleason  
Agriculture; associations and commissions; ability of the commission of agriculture to appoint director; restore.  
Amends sec. 180 of 1965 PA 380 (MCL 16.280).  
**Reported by Committee on Agriculture and Bioeconomy.**  
**Committee recommended I.E.**

39

**SB 862** Sen. Gilbert  
Transportation; motor carrier fuel tax; diesel fuel tax; increase, and provide phase-in period.  
Amends sec. 2 of 1980 PA 119 (MCL 207.212).  
**Reported by Committee on Transportation.**  
**Committee recommended I.E.**

40

**SB 863** Sen. Gilbert  
Transportation; funds; revenue from increase in motor carrier fuel tax; divert to critical budget funds.  
Amends sec. 10 of 1951 PA 51 (MCL 247.660).  
**Reported by Committee on Transportation.**  
**Senate substitute (S-3).**  
**Committee recommended I.E.**

41

**SB 995** Sen. Van Woerkom  
Transportation; funds; distribution formula for primary road funds; modify amount allocated to local road fund.  
Amends sec. 12 of 1951 PA 51 (MCL 247.662).  
**Reported by Committee on Transportation.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

42

**SB 38** Sen. Pappageorge  
Income tax; credit; charitable contributions to an educational foundation; provide for.  
Amends sec. 261 of 1967 PA 281 (MCL 206.261).  
**Reported by Committee on Finance.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

43

**HB 4200** Rep. Lahti  
Property tax; principal residence exemption; adjoining and contiguous timber-cutover property; exempt.  
Amends secs. 7cc & 7dd of 1893 PA 206 (MCL 211.7cc & 211.7dd).  
**I.E. House, March 10, 2009.**  
**Reported by Committee on Finance.**  
**Senate substitute (S-1).**  
**Committee recommended I.E.**

## GENERAL ORDERS

44

**SB 692** Sen. Brown

Elections; offenses; penalties for providing or receiving compensation to register to vote or refrain from registering to vote; provide for, and amend penalties for providing or receiving compensation to vote or refrain from voting.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 931a.

**Reported by Committee on Campaign and Election Oversight.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

45

**SB 693** Sen. Brown

Elections; offenses; penalties for providing or receiving compensation to vote or refrain from voting; amend.

Amends sec. 931 of 1954 PA 116 (MCL 168.931).

**Reported by Committee on Campaign and Election Oversight.**

**Committee recommended I.E.**

46

**SB 694** Sen. Kuipers

Elections; offenses; penalties for illegal or fraudulent vote registration; increase.

Amends sec. 519 of 1954 PA 116 (MCL 168.519).

**Reported by Committee on Campaign and Election Oversight.**

**Senate substitute (S-3).**

**Committee recommended I.E.**

47

**SB 695** Sen. Kuipers

Criminal procedure; sentencing guidelines; illegal or fraudulent voter registration; penalize.

Amends sec. 11d, ch. XII of 1927 PA 175 (MCL 777.11d).

**Reported by Committee on Campaign and Election Oversight.**

**Senate substitute (S-1).**

**Committee recommended I.E.**

48

**SB 999** Sen. McManus

Elections; offenses; penalties for submitting a fraudulent or forged voter registration application; provide for.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 932d.

**Reported by Committee on Campaign and Election Oversight.**

**Committee recommended I.E.**

49

**HB 5596** Rep. Pavlov

Education; teachers; alternative program for teacher certification; provide for.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1531i.

**I.E. House, December 10, 2009.**

**House substitute (H-5).**

**Rules suspended, placed on General Orders, Thursday, December 17.**

## GENERAL ORDERS

50

**SB 350** Sen. Cassis

Civil procedure; foreclosure; amount required to redeem foreclosed property; allow certain registers of deeds to calculate.

Amends sec. 3240 of 1961 PA 236 (MCL 600.3240).

**Reported by Committee on Banking and Financial Institutions.**

**Senate substitute (S-3).**

**Committee recommended I.E.**

51

**HB 4610** Rep. Moore

Recreation; other; right to ride horses on state owned land; establish.

Amends sec. 72101 of 1994 PA 451 (MCL 324.72101) & adds sec. 72114.

**I.E. House, November 5, 2009.**

**House substitute (H-1).**

**Reported by Committee on Agriculture and Bioeconomy.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

## RESOLUTIONS

52

**SR 41** Sen. Cropsey

A resolution to urge the Michigan Department of Corrections to implement nondenominational prison congregation programs within our prisons.

**Reported by Committee on Judiciary.**

**For text of resolution, see Senate Journal No. 32, page 591.**

**Adoption pending.**

53

**SR 75** Sen. Patterson

A resolution to extend subpoena power to the Senate Judiciary Committee.

**Motion to suspend rules postponed, Wednesday, August 26.**

**For text of resolution, see Senate Journal No. 65, page 1325.**

**Rules suspension pending.**

54

**SR 88** Sen. Pappageorge

A resolution to urge the Michigan House of Representatives to begin the veto override process on the Governor's line-item veto of the section 20j hold harmless school aid funding in 2009 PA 121.

**Reported by Committee on Appropriations.**

**For text of resolution, see Senate Journal No. 88, page 2053.**

**Adoption pending.**



**RESOLUTIONS**

55

**SCR 24** Sen. Kuipers

A concurrent resolution to disapprove Executive Order No. 2009-45, setting forth changes in the organization of the executive branch.

**Reported by Committee on Appropriations.**

**For text of resolution, see Senate Journal No. 85, page 2003.**

**Adopted, Thursday, November 12; motion to reconsider vote pending.**

**COMMITTEE REPORTS**

56

**SB 927** Sen. Jansen

State financing and management; bonds; bonding authority for prefunded retiree health care; provide for.

Amends sec. 103 of 2001 PA 34 (MCL 141.2103) & adds sec. 518.

**Reported by Committee on Appropriations.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

57

**HB 4073** Rep. Hammel

Retirement; other; public employee retirement health care trust; provide for.

Creates new act.

**I.E. House, March 4, 2009.**

**House substitute (H-4).**

**Reported by Committee on Appropriations.**

**Senate substitute (S-2).**

**Committee recommended I.E.**

**Refer to Committee of the Whole pursuant to Rule 3.701.**

**SCHEDULED MEETINGS****Conference Committees -**

**Air Emissions Fees (HB 5220)** - Saturday, December 19, 3:55 a.m., Room 424, Capitol Building (373-8080) (CANCELED)

**Flexibility in Failing Schools (HB 4788)** - Saturday, December 19, 2:25 a.m., Room 426, Capitol Building (373-2002)

**Identifying and Restructuring Failing Schools (HB 4787)** - Saturday, December 19, 2:20 a.m., Room 426, Capitol Building (373-2002)

**Reorganization of Failing Schools (SB 981)** - Saturday, December 19, 2:00 a.m. (CANCELED), 9:00 a.m., Room 426, Capitol Building (373-6920)

**Schools of Excellence Funding (SB 926)** - Saturday, December 19, 2:00 a.m. (CANCELED), 9:00 a.m., Room 426, Capitol Building (373-6920)

**BILLS IN CONFERENCE**

Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 247	Appropriations; zero budget; department of history, arts, and libraries; provide for fiscal year 2009-2010.	George Brown Clark-Coleman			
SB 290	Economic development; brownfield redevelopment authority; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
SB 293	Economic development; renaissance zones; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
SB 295	Economic development; obsolete property and rehabilitation; obsolete property rehabilitation act; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		

## BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 296	Michigan business tax; other; historic preservation tax credit preferences and penalties under certain circumstances; provide for.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
SB 926	School aid; other; funding for “schools of excellence” as public school academy and transition funding for certain districts in which schools of excellence are located; provide for.	Kuipers Van Woerkom Thomas	Melton Geiss Pavlov		
SB 981	Education; reorganization; certain measures to identify and restructure failing schools; provide for.	Kuipers Van Woerkom Thomas	Melton Geiss Pavlov		
HB 4083	State financing and management; funds; strategic fund; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4089	Economic development; Michigan economic growth authority; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4092	Economic development; other; industrial development revenue bond act; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4093	Economic development; plant rehabilitation; eligibility requirements; modify.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4094	Economic development; other; transportation economic development fund; modify eligibility requirements.	Allen Gilbert Clarke	Miller Robert Jones Opsommer		
HB 4787	Education; reorganization; certain measures to identify and restructure failing schools; provide for.	Kuipers Van Woerkom Thomas	Melton Geiss Pavlov		
HB 4788	Education; school districts; changes in collective bargaining act to allow more flexibility in failing schools; provide for.	Kuipers Van Woerkom Thomas	Melton Geiss Pavlov		
HB 5220	Environmental protection; air pollution; air emissions fees; modify.	McManus Gilbert Basham	Lahti Coulouris Booher		